

IC 16-31-9

Chapter 9. Emergency Choke Saving Methods

IC 16-31-9-1

Food service establishment defined

Sec. 1. (a) As used in this chapter, "food service establishment" means a fixed or mobile establishment that serves food to the public for consumption on the premises.

(b) The term does not include establishments operated on a temporary basis by a charitable or nonprofit corporation, association, or organization.

As added by P.L.2-1993, SEC.14.

IC 16-31-9-2

Instruction placards

Sec. 2. (a) The state department shall adopt rules under IC 4-22-2 to provide for the approval of placards containing instructions in methods that may be used safely and effectively in an emergency by laymen to remove food lodged in a person's throat. The methods must be limited to first aid procedures and must include techniques that do not require the use of instruments or devices.

(b) The placards must be of a size and design suitable for posting in food service establishments. The instructions must, to the extent practicable, be expressed in words and illustrations that are not offensive to restaurant patrons.

As added by P.L.2-1993, SEC.14.

IC 16-31-9-3

Training program guidelines

Sec. 3. The state department shall develop and publish guidelines for training programs that may be used on a voluntary basis by food service establishments to train employees in the approved methods.

As added by P.L.2-1993, SEC.14.

IC 16-31-9-4

Civil liability

Sec. 4. (a) A person is not obligated to remove, assist in removing, or attempt to remove food from another person's throat. A person who in good faith gratuitously removes, assists in removing, or attempts to remove food from another person's throat in an emergency occurring at a food service establishment is not liable for any civil damages as a result of any act or omission by the person providing the emergency assistance unless the act or omission amounts to willful or wanton misconduct.

(b) The owner or operator of a food service establishment is not liable for any civil damages that result from an act or omission by a person rendering or attempting the emergency assistance if there is an approved placard posted in the food service establishment.

As added by P.L.2-1993, SEC.14.